

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

PETER J. MESSITTE  
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE  
GREENBELT, MARYLAND 20770  
301-344-0632

MEMORANDUM

TO: Counsel of Record

FROM: Judge Peter J. Messitte

RE: United States v. Yamatani, Crim. No. PJM 13-0328

DATE: September 12, 2013

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The Court is in receipt of Defendant Yamatani's Motion to Vacate Plea (Paper No. 14).

As indicated by the Court at the hearing held on September 4, 2013, the Magistrate Judge did not orally address the Defendant with regard to the matters set out in Rule 11(a) of the Federal Rules of Criminal Procedure, and moreover, it was not established that the Defendant had fully discussed the terms of the plea agreement with counsel prior to entering his plea. Accordingly, the Motion to Vacate Plea (Paper No. 14) is **GRANTED**.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

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/s/  
PETER J. MESSITTE  
UNITED STATES DISTRICT JUDGE

cc: Court File